

PLB NEWS

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Welcome to PLB News, the quarterly newsletter of the Iowa Professional Licensing Bureau.

To keep licensees and stakeholders informed, we are pleased to provide you with information about each of the Bureau's seven professional licensing boards. Click on the name of the board in the list to the left, and you will jump to that section of the newsletter.

We welcome your feedback. Feel free to call the office or e-mail your profession's board. Contact information can be found on the last page of the newsletter.

PLB

Renewals

The following professions are now accepting renewals through June 30th (with a grace period, for an additional fee, until July 30th):

- Accountancy – All firms and individuals
- Architecture – All individuals with last names beginning with the letter A through K
- Interior Design – All individuals with last names beginning with the letter A through K
- Landscape Architecture - All individuals with last names beginning with the letter A through K
- Real Estate Appraisers - All individuals with last names beginning with the letter A through K

To renew, visit www.state.ia.us/proflific. Please be advised that if you do not renew, your license will expire.

Staff Changes

The Professional Licensing Bureau welcomes licensing specialist Cheryl Merriman, who will primarily work with the Iowa Real Estate Commission and the Iowa Accountancy Board. Merriman previously worked for Wells Fargo Home Mortgage and Marsh USA. She began her duties at PLB in April.

Accountancy Board

Governor Branstad Confirms Appointment/Reappointment to Iowa Accountancy Examining Board

In the spring Governor Branstad's office confirmed the appointment of Dale Leibfried as a member to the Iowa Accountancy Examining Board. Mr. Leibfried is from Dubuque and we welcome him to the Board. Reappointed to the Board is Shelley Laracuenta of Ankeny.

Dale J. Leibfried, CPA, CFP®, CGMA is a partner at Honkamp Krueger & Co., P.C. Dale specializes in audit, accounting, budgeting, corporate and financial projections, and planning. He has extensive experience in the agribusiness, construction, government, logging, manufacturing, non-profit, hospitality, pari-mutuel, casino, gaming, trucking, wholesale and retail industries. Dale earned his Bachelor of Science in Business Administration with a specialty in accounting from the University of South Dakota - Vermillion in Vermillion, South Dakota. In addition to being a Certified Public Accountant, he is also a Certified Financial Planner™ (CFP®)



Current Board Roster:

Bob Snodgrass, Chair
 Laura Walker, Vice Chair
 Ying Sa
 Dale Leibfried
 Tom Thompson
 David Loy
 Shelley Laracuenta, public member
 Evelyn Rank, public member

It's Time to Renew Your CPA License

Online renewals are open now and if you're an Iowa licensed CPA then you are required to renew. Head to www.licensediniowa.gov and renew now while you're thinking of it.

Accountancy Board Discipline

All consent orders accepted by the Board may be found on the [disciplinary index](#) on the [accountancy homepage](#).

13-20 Victoria Jones O10563

The Board charged the Respondent with conviction of a felony related to the practice of public accounting. The Respondent voluntarily surrendered her license.

14-01 Teresa K. Miller O09763

The Board charged the Respondent with practicing public accountancy on a lapsed license. The Board reprimanded the Respondent, was ordered to pay a civil penalty of \$1,000, and complete at least 4 hours of ethics education not to be submitted for the continuing education requirement.

14-02 Troy V. Hassebrock O05896

The Board charged the Respondent with practicing public accountancy on a lapsed license. The Board reprimanded the Respondent, was ordered to pay a civil penalty of \$1,000, and complete at least 4 hours of ethics education not to be submitted for the continuing education requirement. The Respondent was further ordered to notify all clients for whom he provided compilation services while his certificate was lapsed.

Architectural Examining Board

Board Update

Architect Members Terry Allers and Tom Clause, and Public Member Dr. Sue Jarboe ended their service to the Board on April 30, 2014. The Board thanks them for their years of service.

The Governor has appointed Architects Tandi Dausener from Iowa City and Jerry Purdy from Adel and Public Member Tyler Kamerman from West Des Moines to the Board. Their terms are from May 1, 2014 to April 30, 2017.

Current Board Roster:

Emily Forquer, Architect, President
 Bruce Bassler, Architect, Vice President
 Kolby DeWitt, Public Member, Secretary
 Linda Alfson Schemmel, Architect
 Tandi Dausener, Architect
 Tyler Kamerman, Public Member
 Jerry Purdy, Architect



Iowa Represented Well By Iowa NCARB Officers

By Kolby DeWitt

As the public member of the State of Iowa Architectural Examining Board, I have no experience or education in the architectural industry, but am honored to be given a window into such a fascinating world that touches everyone. I have a new echelon of respect for the individuals that have to weigh out our interests of health, safety, welfare, and aesthetics when designing the structures that fill our landscape. I was appointed to the board in March of 2013 by Governor Terry Branstad, and am excited for what's to come in my first term.

Siouxland and Iowa are incredibly well represented in the realms of architecture and design. Sioux City's own Dale McKinney of M+ Architects will take the helm in July as President of National Council of Architectural Registration Boards. NCARB's membership is made up of the architectural registration boards of all 50 states as well as those of the District of Columbia, Puerto Rico, Guam, and the U.S.

Virgin Islands. NCARB assists its member registration boards in carrying out their duties and provides a certification program for individual architects. NCARB protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects.

McKinney, a Vietnam veteran, has a history of giving back: McKinney has served on countless civic and community boards to help enhance Siouxland. He was elected Director of National AIA Board Central States Region, and served from 1997 until 1999. McKinney was appointed to the same board that I am on in 2002, and served three terms. He is well positioned to do Iowa proud on the national level. “We develop the exam that every architect must pass before getting a license. We are a part of the team that establishes the standards the schools of architecture use to educate future professionals,” says McKinney.

Locally, McKinney has lead landmark projects such as the Norm Waitt YMCA, Heelan Hall at Briar Cliff University, the Thompson Electric Office, and the Anderson Dance Pavilion.

Terry Allers is the [Past] President of the State of Iowa Architectural Examining Board, and serves as a Regional Director of the NCARB Board. He is based out of Fort Dodge, and prides his work on projects such as the Corn Belt Power Cooperative in Humboldt, a worship facility for St. Paul’s Lutheran Church in Fort Dodge, Butler Elementary in Fort Dodge, and the new middle school for Algona Community School District. Allers says that one should take every opportunity they have to make a difference in one’s profession. “I am a firm believer in being involved in your community and in your profession as a volunteer. The rewards are immeasurable.” He continues, “You will receive much more than you give.”

Engineering & Land Surveying Examining Board

Governor Branstad Confirms Appointments to Iowa Engineering and Land Surveying Examining Board

In the spring Governor Branstad’s office confirmed the appointment of Rita Perea and Robert Fairfax as public members of the Iowa Engineering and Land Surveying Examining Board. Ms. Perea is from Des Moines and Mr. Fairfax is from Norwalk. We welcome them.



As a leadership consultant, executive coach and keynote speaker, **Rita Perea** specializes in working with senior leaders and their teams to successfully navigate the opportunities of their dynamic for-profit and not-for-profit worlds.

Rita holds both a Bachelor’s degree and a Master’s degree. She also possesses a Specialist’s degree in Leadership and is currently a Doctoral degree candidate. Additionally, Rita is certified as a Master Cognitive Coach and Spiritual Director.

Rita’s professional affiliations include membership in the National Speakers Association, the American Society of Training and Development and the Society for Human Resource Managers. She is an active member of Rotary Club and has served in numerous leadership positions at the local, national and international levels. Rita is a graduate of the Leadership Iowa program and served on their Board of Governors for two terms. Rita currently serves on the boards of the Des Moines Public Library Foundation and the Friends of the Greater Des Moines Botanical Garden.



Bob Fairfax graduated from Northeast Missouri State University (Truman State University) in Kirksville, Missouri with a BS in Business Administration- Marketing Major and Accounting Minor in 1980. Since that time he has held numerous professional Sales Administration positions with Fortune 500 companies such as Standard Register, Sara Lee, and Cintas Corporation. In 1998, he joined the State of Iowa Department of Corrections as the Director of Sales and Marketing for the Iowa Prison Industries program for Offender training.

He is a member of the National Correctional Industries Association, serving in 2014 as the National Track Chair for the most recent NCIA Enterprise Training Conference in Louisiana. Additionally, he has been recognized by his peers. In 2003, he won an Achievement award for Supervisory Excellence and in 2005 was the National Sales and Marketing Person of the Year.

Current Board Roster:

Jerry Shellberg, Chair
 Marlee Walton, Vice-Chair
 Christy VanBuskirk
 Howard Stewart
 Marlon Vogt
 Rita Perea, public member
 Robert Fairfax, public member

Engineering and Land Surveying Examining Board Discipline

12-03 Jayme M. Malone, PLS, P11807

The Board charged the Respondent with disciplinary action by other licensing jurisdictions and failure to adhere to minimum land surveying standards. The Respondent was reprimanded and ordered to correct plats of survey. Additionally, his license was put on probation, future work subject to desk review until released by the Board, and ordered to successfully complete a surveying ethics course.

12-12 Mark Lindsay Lee, PE/PLS, 11582

The Board charged the Respondent with failure to adhere to minimum land surveying standards. The Respondent was reprimanded and ordered to correct plats of survey. Additionally, his license was put on probation and future work subject to desk review until released by the Board.

11-10 & 13-13 John Lance, PLS, 10568

The Board charged the Respondent with failure to adhere to minimum land surveying standards and failure to use the correct certification and seal. The Respondent was reprimanded and ordered to correct plats of survey. Additionally, his license was put on probation and future work subject to desk review until released by the Board.

Interior Design Board

Registration Fees Change

The Board's registration fee has been reduced from \$350 to \$275. Those renewing this June will be paying the new, lower fee.

Board Member Changes

The Interior Design Examining Board would like to thank Kathy Erion for her years of service and the time she invested to the Board from 2011-2014.

Appointments to the Board are made by the Governor's office for a three year term. Dorothy Fowles was reappointed for her third three-year term. We welcome Scott Hatfield, the most recent new appointment to the Board. Their terms are May 1, 2014-April 30, 2017.

Here is a current list of the other board members:

Sara Swaim Herman

Julie Quebe

Serena Zwanziger

Kevin Clark, Public member

Tom Triplett, Public member

Landscape Architectural Examining Board

Board Update

At the April 15, 2014, ILAEB meeting, we said farewell to long time board members Mark Ripplinger and Laura Hawks as both of their respective terms expired on April 30, 2014. Both Mark and Laura served three terms for the board. They were presented with plaques and were thanked for their vast amount of time and long term service to the state of Iowa and to the landscape architecture industry. On May 1, 2014, newly appointed licensee members Debra Schiel-Larson and Jonathan Martin each began their three-year terms, which expire on April 30, 2017. Schiel-Larson resides in Indianola, Iowa and Martin is from Norwalk, Iowa.

The ILAEB is scheduled to meet next at 10:00 a.m. on Tuesday, July 29, 2014.

Renewal Update

The renewal period for landscape architects is here and renewal postcard reminders have been mailed to all licensees, active and inactive, that have an expiration date of June 30, 2014. Please do not mistake this for a routine advertising piece or junk mail. This postcard will give you the instructions required for renewing electronically.

The postcards were mailed to the address on record with the Board's office.

Remember, even if you don't receive a renewal postcard you are still responsible for renewing your license. You are responsible for notifying the Board in writing of any change of address. If you have

moved and not notified the Board in writing you must do so immediately by e-mailing LandscapeArchitectureBoard@iowa.gov or by FAX (515-725-9032).

If you fail to renew your license it will EXPIRE and you will not be authorized to practice landscape architecture in Iowa until the certificate is reinstated. Please note: even if your license is inactive you must renew and pay the licensing fee to avoid having your license expire.

The renewal cycle will run through July 30, 2014. If you have any problems or questions that arise during the renewal process, please e-mail LandscapeArchitectureBoard@iowa.gov or call (515) 725-9021.

Continuing education requirements for 2014 license renewal

You can only report continuing education completed between July 1, 2012, and prior to your renewal within the licensing term. 24 contact hours must be acquired and shall be in health, safety, and welfare subjects acquired in structural education activities. No more than 6 of these hours can be earned in self-study activities.

Those that intend to renew inactive are exempt from the continuing education requirements.

Real Estate Appraiser Examining Board

Board Member Re-Appointments

Unless someone has served on an active committee or board, it is doubtful that one can understand the countless hours that board members spend in preparing for the committee and board meetings. All of our board members are to be commended for their dedication to this board and the appraisal profession.

Congratulations to Gene Nelsen and Caryl Swaim for their recent re-appointments to the Board. This marks the second three-year term for each. All Board member appointments are made by the Governor's office.

Here is a current list of the other board members:

Fred Greder, Appraiser

Greg Harms, Appraiser

Amanda Luscombe, Appraiser

Joan Scotter, Public Member

Lee Schoenewe, Public Member

Continuing Education Reminders

- A minimum of 28 credit hours in approved continuing education programs must be acquired during the two year renewal period.
- Carryover hours are not allowed.
- Iowa will accept any continuing education programs approved by the Appraisal Qualifications Board (AQB).

- The Board will also accept continuing education taken in another state if that appraiser board has approved it for continuing education. Supporting documentation may be requested.
- Qualifying education can count for continuing education.
- Continuing education cannot count for qualifying education.
- You may review approved courses under "[Iowa Approved Courses](#) on the website."
- Continuing education topics must be **directly** related to appraisal.
- The 7 hour National USPAP Update course must be taken.
- All of the required 28 credit hours may be completed in the classroom or online.

For complete details, refer to Chapter 11 of Administrative Rules 193F.

Associate Appraiser Work Logs

Is *YOUR* work log compliant with Board rules and the AQB criteria? Many associate work logs are non-compliant. This standard has been set by the Appraiser Qualifications Board, and it is found in Guide Note 6 and also the Board's Administrative Rule 193F-4.2. The Board's rules may be found at <https://www.legis.iowa.gov/docs/ACO/agency/193f.pdf> and the Guide Notes may be accessed at <http://www.state.ia.us/government/com/prof/appraiser/AQBGuideNotes.html>.

EVERY associate's work log must have the minimum amount of information. Keep in mind that the format does not have to look the same but all information must be there for each entry. Using the Board or AQB format may be easier and it also assures the necessary information is found within the log. Whether your log is submitted for a random audit, work product review or upgrading to certification, the Board will expect and require compliance before it can be accepted.

Common log errors

- Multiple supervisors on same log
- Estimating hours spent on a report
- Including travel time in the hours reported
- Leaving out required supervisor information
- Signatures missing from the log
- Not keeping the log up to date as progressing
- Illegible font or handwriting

Relevant Scope of Work

By: William Pruett

"Appraisers have broad flexibility and significant responsibility in determining the appropriate scope of work for an appraisal or appraisal review assignment." ([USPAP Scope of Work Rule](#))

Appraisers have for years enjoyed the freedom of making scope of work decisions. Although some may misunderstand the appraisal process (often when the results are not to their liking) there really is a method to our work which results in credible and supportable opinions, if followed. As ambiguous and general as the Scope of Work Rule reads, there is more specific guidance offered by the ASB in this very

important rule.

USPAP identifies eight assignment elements necessary to properly develop a real property appraisal (see Standards Rules 1-2(a) – (h) and Scope of Work Rule, Problem Identification). “This information provides the appraiser with the basis for determining the type and extent of research and analyses to include in the development of an appraisal.” If approached correctly, by relevance and logic, a credible scope of work will be the result. “Competently determining the scope of work is an essential step in all assignments performed under USPAP . . . Completing the first seven action steps provides support for the eighth step, the appraiser’s scope of work decision.” (Advisory Opinion 22)

Competency and relevance are the primary concerns of Advisory Opinion 22. In order to determine relevant characteristics of an assignment, it is necessary to have experience in the assignment type and geographic location. Numerous decisions must be made. These include determining the client, intended use, the definition of value, which approaches to value need used, how much data must be gathered, which sources, and what time period is under consideration. Without competency in the geographic location and assignment type, relevance of data is difficult to determine. Without relevant data, the assignment results could not be credible.

So this “broad flexibility” is not to be confused with a careless approach. There is a proper methodology associated with this freedom which is evident in the appraiser’s work file and final report, depending on the report option. Standard 2-1 applies to either report option (Appraisal Report or Restricted Appraisal Report) and requires the report to “contain sufficient information” for the reader to understand and follow the appraiser’s conclusions.

Sufficient information will depend greatly on the complexity of the assignment. When appraising a single family property in an established subdivision or tillable farm land with average CSR, sufficient information may be basic and easy for the reader to follow. But with the complexity of the assignment, so goes the information needed to understand the appraiser’s reasoning. Complex assignments such as residential properties in small communities with limited sales data and/or a strong REO presence or forecasting absorption in new or non-stabilized properties, may require much more experience and creativity on the part of the appraiser. The report must give evidence that the appraiser is not only competent to take on such an assignment but also understands the relevant characteristics involved in the analysis. A credible report is only possible when a proper scope of work is applied by an experienced and competent appraiser.

It is important for the appraiser to avoid applying the same scope of work to every assignment. Every market has different nuances. Every season has different pressures. Every property has its own appeal. Although the scope of work determination may be very similar between assignments, it also must be unique to the specific assignment. The final report will give evidence of the appraiser’s consideration and competence toward establishing a proper scope of work.

Iowa Representation on the Appraisal Subcommittee’s Advisory Committee

The 2010 Dodd-Frank Bill included amendments to Title XI and also expanded the Appraisal Subcommittee’s authority. The ASC was also given the task of creating an advisory committee of industry participants, now known as the ASCAC.

The ASCAC is to provide independent advice and recommendations to the ASC. The advisory committee’s scope of work includes temporary practice, national registries, information sharing, and

enforcement. Recommendations will be made to the ASC based on these 4 areas.

These representatives include appraisers, lenders, consumer advocates, real estate agents and state government agencies. Toni Bright, Executive Officer for the Iowa Real Estate Appraiser Examining Board, was named as a state government representative. A complete list of all 17 committee members can be found here:

<https://www.asc.gov/documents/othercorrespondence/advisory%20committee%20member%20list.pdf>

2015 AQB Criteria Update

At the April 11, 2014, AQB meeting in San Francisco, the AQB announced that Section 6 of the January 1, 2015, criteria will be delayed until January 1, 2017. As a result, the State of Iowa will not implement new criminal history background requirements until January 1, 2017.

Real Estate Appraiser Examining Board Discipline

To view all of the Board's previous disciplinary matters, or an entire consent order, please see the board's [disciplinary index](#).

Formal Hearing

13-12 Rash, Jack (CR02113) Waterloo, IA

The Board charged Rash, a certified residential appraiser, with failure to comply with a Board disciplinary order, in violation of Iowa Code §272C.3(2)(a). A formal hearing was conducted by the Board. The Board ordered that Rash's Iowa Real Estate Appraiser Certificate No. CR02113 be **REVOKED** and pay a \$75 hearing fee.

Consent Order

14-02 Hand, James (CR01389) DeWitt, IA

The Board charged Hand with failure to adhere to USPAP, failure to exercise reasonable diligence and negligence or incompetence in the development and reporting of multiple appraisals in violation of Iowa Code §543D.17(1)(d),(e), and (f) and 543D.18(1) and 193F IAC 7.2, 7.3(2), 7.3(6)(a), and 7.3(7)(a).

The Board and Hand agreed to fully resolve the complaint with a signed consent order. Hand was reprimanded for practicing outside the area of his geographic competence, pay a \$500 penalty, comply with USPAP in all assignments, take a 30 hour residential report writing course by June 30, 2014, submit monthly logs, have two additional reports reviewed by the Board, and shall not supervise any associates or co-sign another appraiser's work as a supervisor until released from these terms.

Real Estate Commission

Commission Update

It has been a busy spring at the Commission offices with a small turnover in the Commission, along with the training of a new staff person.

At the April 3, 2014 Commission meeting, we said farewell to Commissioners Susan Sanders and Gail Flagel as both of their respective terms expired on April 30, 2014. They were presented with plaques and were thanked for their time and service to the state of Iowa and to the real estate industry. On May 1, 2014, newly appointed Broker member Helen Kimes and Salesperson member Janet DeMott each began their three-year terms, which expire on April 30, 2017. Kimes resides in Osceola, Iowa and DeMott is from Bedford, Iowa.



At the regular meeting of the Iowa Real Estate Commission on May 1, 2014, officers for the Commission were elected. Terry Duggan (Dubuque, Iowa) was elected to chair the Commission while Dennis Stolk (Bettendorf, IA) was elected as the vice-chair.

Cheryl Merriman has replaced long time licensing specialist Dana Wilkerson and began employment with the Iowa Professional Licensing Bureau on April 11, 2014. The Bureau is excited to have Cheryl on board as she has displayed strong skills and a great attitude thus far. Be sure to tell Cheryl hello when you direct your licensing questions her way.

Attention to Those Renewing in December

The renewal period for real estate will be here before we know it and renewal postcard reminders will be mailed out in November 2014 to all licensees, active and inactive, that have an expiration date of December 31, 2014. Please do not mistake this for a routine advertising piece or junk mail. This postcard will give you the instructions required for renewing electronically. The postcards will be mailed to the address on record with the Commission's office.

Remember, even if you don't receive a renewal postcard, you are still responsible for renewing your license. You are responsible for notifying the Commission in writing of any change of address. If you have moved and not notified the Commission in writing you must do so immediately by e-mailing realestatecommission@iowa.gov or by FAX (515-725-9032) to help insure you receive the renewal postcard.

If you fail to renew your license, it will **EXPIRE**. Please note: even if your license is **inactive**, you must renew and pay the licensing fee to avoid having your license expire.

The renewal cycle will begin around the middle of November and run through December 31, 2014. You cannot attempt to renew prior to the renewal cycle.

Continuing education requirements for 2014 license renewal

If you intend to renew active, you can only report continuing education you have completed **prior** to your renewal and completed in 2012, 2013 and/or 2014. If you do not have the required number of hours by December 31, 2014, for a license currently in active status, you need to renew to inactive status prior to January 1, 2015.

Salespersons and Brokers: (up to 24 hours allowed in distance education)

- 8 hours Law Update (Mandatory)
- 4 hours Ethics (Mandatory)
- 24 hours of Electives

For the 2014 license renewal, at any time after July 1, 2014, **any broker or salesperson** can take and pass the appropriate licensing exam **in lieu of** completing the required continuing education. You must contact the Commission to obtain an authorization letter for permission to take the exam. Please send your written request to take the exam in lieu of continuing education to realestatecommission@iowa.gov. When you pass the test you will automatically be given an application – do NOT use this to renew! At the time of online renewal; you will be required to report the date of exam, location of exam, and test scores. If you choose or are required to renew via paper, you must include a copy of the pass notice at the time of submission.

From Past Chair Susan Sanders

Greetings!

I write this as I prep today for my last official duties on the Iowa Real Estate Commission. My term on the Commission has reinforced to me the very reason I sought appointment:

Real estate licensees have an enormous responsibility, and as professionals, we must hold ourselves to a very high standard.

Think about it: We have keys to people's homes. We drive clients in our cars. We assist them as they make life decisions critical to their family life and their finances. Are we truly living up to our ethical and legal duties? Are we diligent about disclosures? Are our files complete and accurate?

Serving on the Commission has provided an opportunity for me to focus on those issues and other licensing issues while not in the thick of the details and emotion of a transaction. I will carry with me the lessons I have learned, and will happily share with others.

I encourage you to log on to the IREC website and read the minutes, and to attend the public portion of the meetings of the IREC. Stay tuned in to issues before the Commission. Voice any concerns you may have. It is our profession. Join me in working to improve it.

From the Trust Account Auditor

Establishing a Trust Account:

To establish a trust account the following requirements must be followed:

- The title of the account must include the heading “Trust Account.”
- The name of the trust account must be established in the name under which the broker is licensed to do business.
- The trust account must be in a federally insured bank, savings and loan association, savings bank, or credit union, and located in Iowa.
- The trust account must be interest-bearing unless specific requirements are met.
- A “Consent to Examine and Audit Trust Account” form must be filed for each trust account.

Closing a Trust Account:

Brokers are responsible for notifying the Real Estate Commission office, in writing, whenever a trust account is closed. The written notification should include the following:

- the name of the broker or firm;
- the account number;
- the name of the bank;
- the date on which the account was or will be closed;
- the date of the last transaction (bank statement);
- proof that interest was remitted to the state (bank statement); and
- any other information or documentation requested by the Commission.

Real Estate Commission Discipline

Signed settlement agreements may be viewed on Commission’s [website](#).

License Revoked Or Voluntarily Surrendered

14-002 Chad Hartzler (S61226000), Ames, IA – Voluntary Surrender

The Commission charged Hartzler, a broker, with Count I: with having been convicted of a felony criminal offense and/or a criminal offense involving forgery, embezzlement, obtaining money under false pretenses, theft, arson, extortion, conspiracy to defraud, or other similar offense, any offense involving moral turpitude, or other offense involving a criminal breach of fiduciary duty in a court of competent jurisdiction in this state, or in any other state, territory, or district of the United States in violation of Iowa Code § 543B.29(1)(f) (2013). See also Iowa Code §§ 272C.10(5) & 543B.15(3); 193E Iowa Administrative Code §§ 18.2(1) & 18.2(4).

Hartzler agreed to resolve the charge with a Stipulation and Voluntary Surrender of Salesperson License. Hartzler’s license surrender shall be for an indefinite period of time and the Commission shall not grant an application for reinstatement until all terms of the sentencing has been fully satisfied. Hartzler further acknowledges that Iowa Code § 543B.15(3) (2013) prohibits him from applying for an Iowa Real Estate license until five (5) years after he has successfully satisfied any applicable period of incarceration, payment of all fines, and/or fulfillment of any other type of sentence pursuant to United States of America v. Chad Allen Hartzler, Criminal No. 3:13-cr-03043, that he must qualify as a salesperson starting over as if never licensed, and that reapplication may or may not be granted by the Commission. Reinstatement of his license shall be governed by 193 Iowa Administrative Code section 18.5.

Conviction of a Felony or Offense Involving Forgery, Embezzlement, Obtaining Money Under False Pretenses, Theft, Arson, Extortion, Conspiracy to Defraud, Moral Turpitude, or Criminal Breach of Fiduciary Duty

13-225 Erin Caldwell-Owen (\$61569000), Boone, IA – Informal Settlement

The Commission charged Caldwell-Owen, a salesperson, with Count I: Upon a voluntary plea of guilty, has been convicted of a criminal offense involving forgery, embezzlement, obtaining money under false pretenses, theft, arson, extortion, conspiracy to defraud, or other similar offense, any offense involving moral turpitude, or other offense involving a criminal breach of fiduciary duty in a court of competent jurisdiction in this state, or in any other state, territory, or district of the United States in violation of Iowa Code sections 543B.29(1)(f) (2013). See also Iowa Code § 272C.10(5), Iowa Code § 543B.15(3), Iowa Code § 543B.29(1)(f)(2), and 193E Iowa Administrative Code §§ 18.2(1) & (4).

The Commission charged Caldwell-Owen, a salesperson, with Count II: Failing to notify the Commission of the licensee's conviction of an offense included in Iowa Code § 543B.15(3), in violation of Iowa Code § 543B.29(1)(f)(1) (2013). See also Iowa Code § 272C.10(5), Iowa Code § 543B.15(3), and 193E Iowa Administrative Code §§ 18.2(1) & (4).

Caldwell-Owen agreed to resolve the charges (Charges I & II) with a Settlement Agreement. She was ordered that her Iowa real estate salesperson license be suspended for a period of one hundred twenty (120) consecutive days. Upon completion of the license suspension ordered, Caldwell-Owen will be placed on probation indefinitely, but for a period of no less than two hundred forty (240) days. Provided that a minimum of 240 days have elapsed from the commencement of probation, Caldwell-Owen will be discharged from probation immediately upon her presentation to the Commission of a certified copy of the order discharging the restitution due in Boone County No. FECR108267. She was also ordered to attend the twelve (12) hour "Developing Professionalism and Ethical Practices" course within twelve (12) months of acceptance of the Agreement by the Commission. She also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

Unlicensed Practice

12-325 Scotty's Auction Service (Unlicensed), Macon, MO – Consent Agreement and Cease and Desist Order

The Commission revealed that Scotty's Auction Service, an unlicensed entity, violated Iowa Code § 543B.7(5)(a)(1) when it failed to provide the name of the party responsible for closing the sale of the property in advertising for a public auction it conducted for a property located in Iowa. See also Iowa Code §§ 543B.1, 543B.7, 543B.7(5)(c), 543B.34, 543B.44, 543B.49.

Scotty's Auction Service agreed to cease and desist from any future violations of Iowa Code chapter 543B and to pay a civil penalty in the amount of one thousand dollars (\$1,000) within sixty (60) days of acceptance of the Cease and Desist Order by the Commission. Scotty's Auction Service also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate including, but not limited to Iowa Code § 543B.7(5).

13-215 Martin Auction Service (Unlicensed), Fairfield, IA – Consent Agreement and Cease and Desist Order

The Commission revealed that Martin Auction Service, an unlicensed entity, violated Iowa Code §§ 543B.7(5)(a)(1) & 543B.7(5)(b)(2) when it failed to provide the name of the party responsible for closing the sale of the property in advertising for a public auction it conducted and when it independently hosted an open house for a property located in Iowa. See also Iowa Code §§ 543B.1, 543B.7, 543B.7(5)(c), 543B.34, 543B.44, 543B.49. Martin Auction Service agreed to cease and desist from any future violations of Iowa Code chapter 543B and to pay a civil penalty in the amount of one thousand dollars (\$1,000) within one hundred and eighty (180) days of acceptance of the Cease and Desist Order by the Commission. Martin Auction Service also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate including, but not limited to Iowa Code § 543B.7(5).

13-239 Western Iowa Auction Co. (Unlicensed), Onawa, IA – Consent Agreement and Cease and Desist Order

The Commission revealed that Western Iowa Auction Co., an unlicensed entity, violated Iowa Code §

543B.7(5)(a)(1) when it failed to provide the name of the party responsible for closing the sale of the property in advertising for a public auction it conducted for a property located in Iowa. See also Iowa Code §§ 543B.1, 543B.7, 543B.7(5)(c), 543B.34, 543B.44, 543B.49.

Western Iowa Auction Co. agreed to cease and desist from any future violations of Iowa Code chapter 543B and to pay a civil penalty in the amount of one thousand dollars (\$1,000) within one hundred and eighty (180) days of acceptance of the Cease and Desist Order by the Commission. Western Iowa Auction Co. also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate including, but not limited to Iowa Code § 543B.7(5).

Engaging in Practices Harmful or Detrimental to the Public and Failing to Diligently Exercise Reasonable Skill and Care in Providing Brokerage Services

13-139 Matt Faltis (\$56307000), Cedar Rapids, IA – Informal Settlement

The Commission charged Faltis, a salesperson, with Count I: Engaging in practices harmful or detrimental to the public, and in violation of Iowa Code §§ 543B.29(1)(c), 543B.34, 543B.57(1), 543B.57(3) (2013); and 193E Iowa Administrative Code §§ 12.2(6), 18.14(5)(s): by seeking compensation from a buyer without a written brokerage agreement specifying the compensation terms and conditions.

Faltis agreed to resolve the charge with a Settlement Agreement. He was ordered to attend the Commission approved eight (8) hour course “Real Estate Law and Agency Law” and the twelve (12) hour course “Developing Professionalism and Ethical Practices” within twelve (12) months of acceptance of the Agreement by the Commission. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-274 Philip Perry (B55879000), Lincoln, NE – Informal Settlement

The Commission charged Perry, a broker, with Count I: Failing to diligently exercise reasonable skill and care in supervising a licensee employed by the Respondent, by failing to properly assign a broker associate to its firm in violation of Iowa Code sections 543B.2, 543B.5(5), 543B.34, 543B.62(3)(b) (2013); and 193E Iowa Administrative Code sections 7.1(8), 7.11(3), 15.1, 18.2(1), and 18.14(5)(s).

Perry agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of five hundred dollars (\$500) within thirty (30) calendar days of acceptance of the Agreement by the Commission. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

Practicing Real Estate While License is Lapsed, Inactive, or Expired

14-003 Thomas M. Adler (\$22427000), Albia, IA – Informal Settlement

The Commission charged Adler, a salesperson, with Count I: Engaging in a practice that is harmful or detrimental to the public by practicing real estate while his license was inactive, lapsed, or expired in violation of Iowa Code sections 543B.1, 543B.29(1) (2013) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(a).

Adler agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of five hundred dollars (\$500) as a condition precedent to the reinstatement of his Iowa salesperson license. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

Engaging in Practices Harmful or Detrimental to the Public by Knowingly Aiding or Abetting the Unlicensed Practice of Real Estate

14-019 Nancy A. Casady (B37685000), Albia, IA – Informal Settlement

The Commission charged Casady, a broker, with Count I: Failing to diligently exercise reasonable skill and care in supervising a licensee employed by the Respondent, by allowing the unlicensed practice of real estate in the State of Iowa in violation of Iowa Code sections 543B.1, 543B.29(1), 543B.62(3)(b) (2013); and 193E Iowa Administrative Code sections 7.11, 18.2(6), and 18.14(5)(m).

Casady agreed to resolve the charge with a Settlement Agreement. She was ordered to pay a civil

penalty in the amount of five hundred dollars (\$500) within thirty (30) calendar days of acceptance of the Agreement by the Commission. She also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

Trust Account Violations

See Iowa Code 543B.29(1)(k), 543B.34, 193E Iowa Administrative Code chapter 13, and 193E Iowa Administrative Code § 18.14(5)(e).

13-200 Terrance M. Duggan (B08301000), Dubuque, IA – Informal Settlement

Duggan agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of \$1,000 within one hundred and eighty (180) days of acceptance of the Agreement by the Commission. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-228 Kirk B. Stauss (B38506000), Okoboji, IA – Informal Settlement

Stauss agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of \$500 within thirty (30) days of acceptance of the Agreement by the Commission and was ordered to attend the Commission approved eight (8) hour course “Trust Accounts” within twelve (12) months of acceptance of the Agreement by the Commission. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-247 Janet K. Jerde (B24001000), Clarion, IA – Informal Settlement

Jerde agreed to resolve the charge with a Settlement Agreement. She was ordered to pay a civil penalty in the amount of \$500 within sixty (60) days of acceptance of the Agreement by the Commission and was ordered to attend the Commission approved eight (8) hour course “Trust Accounts” within six (6) months of acceptance of the Agreement by the Commission. She also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-267 Charles J. Schwager (B56789000), Maquoketa, IA – Informal Settlement

Schwager agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of \$1,500 within sixty (60) days of acceptance of the Agreement by the Commission and was ordered to attend the Commission approved eight (8) hour course “Trust Accounts” within twelve (12) months of acceptance of the Agreement by the Commission. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-269 Kristin M. Miller (B57286000), Fairfield, IA – Informal Settlement

Miller agreed to resolve the charge with a Settlement Agreement. She was ordered to pay a civil penalty in the amount of \$500 within thirty (30) days of acceptance of the Agreement by the Commission and was ordered to attend the Commission approved eight (8) hour course “Trust Accounts” within twelve (12) months of acceptance of the Agreement by the Commission. She also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

13-287 Joseph D. Schafbuch (B55886000), Ames, IA – Informal Settlement

Schafbuch agreed to resolve the charge with a Settlement Agreement. He was ordered to pay a civil penalty in the amount of \$2,500 within one hundred and eighty (180) days of acceptance of the Agreement by the Commission and was ordered to attend the Commission approved eight (8) hour course “Trust Accounts” within twelve (12) months of acceptance of the Agreement by the Commission. He was also ordered to hire an Iowa licensed Certified Public Accountant (CPA), at his expense to audit and to establish trust account records following Generally Accepted Accounting Principles. The CPA’s audit report, demonstrating Schafbuch’s compliance with applicable standards, Iowa law, and Commission trust account rules, must be submitted on or

before June 30, 2014. He also agreed to fully comply with all pertinent orders of the Commission and the statutes and rules regulating the practice of real estate.

Failing to Comply with the Mandatory Errors and Omissions Insurance Requirement

All licensees disciplined for E & O insurance violations were active at the time of the infraction. See Iowa Code 543B.29(1)(c), 543B.47(1), 543B.47(6) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(s), 19.6(5), 19.6(6).

13-109 Ryan S. Preul (B59341000), Truxton, MO - \$1,000 Civil Penalty to be paid prior to reactivation or reinstatement of license

13-151 John Stevens (S59758000), Ottumwa, IA - \$1,000 Civil Penalty to be paid prior to reactivation or reinstatement of license

13-262 Marcia J. Grant (B41308000), Des Moines, IA - \$1,000 Civil Penalty

13-263 Candace S. Robinson (S31289000), Humboldt, IA - \$1,000 Civil Penalty

13-283 Karen Reisetter (S34501000), Iowa City, IA - \$1,000 Civil Penalty to be paid prior to reactivation or reinstatement of license

Failing to Comply with the Mandatory Errors and Omissions Insurance Requirement (2nd Offense)

See Iowa Code 543B.29(1)(c), 543B.47(1), 543B.47(6) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(s), 19.6(5), 19.6(6).

13-229 Sharon K. Mathis (B25303000), Grinnell, IA - \$2,000 Civil Penalty

Failing to Comply with Continuing Education Requirements and Causing to be Submitted, Whether Intentional or Otherwise, Incorrect Information on a Renewal Application

See Iowa Code 272C.10(1), 543B.15(5), 543B.29(1), 543B.34(1) and 193E Iowa Administrative Code chapter 16 and 193E Iowa Administrative Code § 18.14(5)(s).

13-200 Joleen Roskamp (S60411000), Sarasota, FL - \$500 Civil Penalty to be paid prior to reactivation or reinstatement of license

13-295 Kathryn M. Richardson (S60981000), Coralville, IA - \$500 Civil Penalty

14-010 Carolyn K. Koll (B12098000), Marshalltown, IA - \$500 Civil Penalty to be paid prior to reactivation or reinstatement of license

Causing to be Submitted, Whether Intentional or Otherwise, Incorrect Information on a Renewal Application

See Iowa Code 272C.10(1), 543B.15(5), 53B.29(1), 543B.34(1), 543B.34(1)(k), 193E Iowa Administrative Code chapter 16, and 193E Iowa Administrative Code § 18.14(5)(s).

13-271 Matthew Reber (S60590000), St. Charles, IA - \$250 Civil Penalty

13-273 James L. Feller (B06236000), Preston, IA - \$250 Civil Penalty

Causing to be Submitted, Whether Intentional or Otherwise, Incorrect Information on a Renewal Application

See Iowa Code 272C.10(1), 543B.15(5), 53B.29(1)(b), 543B.34(1), 543B.34(1)(k), and 193E Iowa Administrative Code § 18.14(5)(s).

13-277 Wenlyn D. Lindeman (S12435000), Iowa Falls, IA - \$500 Civil Penalty

Failing to Fully Disclose Criminal History on an Application

See Iowa Code 543B.15(5).

13-285 Joel Ott (S62647000), Ankeny, IA - \$500 Civil Penalty

13-292 Barry L. Hanson (B57577000), Spirit Lake, IA - \$500 Civil Penalty
13-296 Shane Heister (S62623000), Preston, IA - \$500 Civil Penalty
14-014 Brenda L. Neuendorf (S62616000), Marion, IA - \$500 Civil Penalty
14-015 Chad Husman (B61271000), Storm Lake, IA - \$500 Civil Penalty
14-017 Todd D. Henderson (S62652000), Spirit Lake, IA - \$500 Civil Penalty
14-023 Barton S. Barner (S62687000), Springville, IA - \$500 Civil Penalty
14-028 Shellie J. Sullivan (S62676000), Orient, IA - \$500 Civil Penalty
14-036 Joseph McNamer (S62679000), Orient, IA - \$500 Civil Penalty

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